

Answers to Frequently Asked Questions

Texas • Natural • Resource • Conservation • Commission

FY 97 Fees for Water Rights Clean Rivers Program (Regional Water Quality Assessment)

Why Am I Charged a Fee On My Water Right to Fund a Water Quality Program?

Senate Bill 818, which went into effect in June 1991, requires a comprehensive water quality assessment (evaluation) for each river basin in Texas. In most cases, the assessment is being done by a river authority, or another designated local government, under the supervision of the Texas Natural Resource Conservation Commission (TNRCC).

To fund the assessment program, Senate Bill 818 requires the TNRCC to recover reasonable program costs from wastewater permit holders and water right holders. TNRCC rules (30 Texas Administrative Code [TAC], Sections 320.21-.22) have established the fee calculation method described below.

What Is the Relationship between Wastewater Permit Fees and Water Right Fees?

When a single entity owns both a municipal or industrial water right and a wastewater permit for the same facility, no municipal or industrial water right fee is assessed for that facility under this program. The fee for the wastewater permit is assessed, and is billed separately.

What Are the Definitions for Some of the Terms Used in the Fee?

Consumptive use: Use of water for municipal, industrial, irrigation, or mining purposes.

Nonconsumptive use: Use of water for those purposes not otherwise designated as consumptive, such as hydroelectric, navigation, nonconsumptive recreation, and others.

Recreational use: Use of water impounded in, or diverted or released from, a reservoir or in a watercourse for fishing, swimming, water skiing, boating, hunting, and other forms of water recreation, including aesthetic land enhancement.

How Are the Fees Calculated?

Fees are based on the authorized annual use, not the actual use.

For the different types of use, the fees are determined by the amount of authorization for each category. Also, the total fee for a water right will be the sum of the separate fees for authorized uses from the different categories described below (Examples: consumptive plus nonconsumptive; consumptive for less than or equal to 20,000 acre-feet per year plus consumptive for more than 20,000 acre-feet per year).

Irrigation: There is no fee for irrigation water rights.

Consumptive use (other than irrigation):	<u>Fee</u>
For the first 250 acre-feet per year:	\$0.00
For each additional acre-foot through 20,000 acre-feet per year:	0.22
For each additional acre-foot above 20,000 acre-feet per year:	0.08

Nonconsumptive use (other than hydroelectric):	<u>Fee</u>
For the first 2,500 acre-feet per year:	\$0.00
For each additional acre-foot through 50,000 acre-feet per year:	0.021
For each additional acre-foot above 50,000 acre-feet per year:	0.0007

(Water storage will be assessed a fee only when there is no associated consumptive use authorized.)

Hydroelectric use:	<u>Fee</u>
For each acre-foot through 100,000 acre-feet per year:	\$0.04
For each acre-foot above 100,000 acre-feet per year:	0.004

How Much Time Do I Have to Pay the Fee?

This fee is due 30 days after the invoice date shown on the statement.

What Does the "FY" Mean?

"FY" represents the TNRCC fiscal year; fiscal 1997 is September 1, 1996, through August 31, 1997. This fee assessment also corresponds to that time period. Your current bill may include fees for years before FY 97 if there is any reason that those fees were due and have not yet been paid.

Are There Late Charges or Penalties for Late Payment of This Fee?

Yes. There are interest and penalties for late payment of this fee. See the back of the invoice for details.

If I Disagree with the Fee Calculation, What Should I Do?

As described on the back of the bill, any request for adjustment of fees must be submitted in writing, and the portion of the bill that is not in dispute must be paid by the due date.

What if I Requested an Adjustment in Regard to Previous Fee Bills for This Program, but the Question Has Not Been Resolved Yet?

For any adjustment request that was properly submitted but has not yet been resolved, you may deduct the disputed amount. Provide information in writing that will allow our staff to evaluate the question. Copies of previous correspondence may help resolve the matter. We will handle your request as soon as possible.

If I Am Not Able to Pay the Fee by the Due Date, Will My Permit Be Canceled?

Water rights are not subject to cancellation for nonpayment of fees. However, if you also have a wastewater permit, any future renewal of that permit may be delayed until delinquent bills are paid.

Why Must I Return the Coupon with My Payment?

The payment coupon (the top portion of your bill) contains an optical character reader (OCR) line. When we receive your payment, a computer reads your account number from that OCR line. Without the original coupon, we must send your payment to another location for manual processing. That slows our processing of your payment and raises the possibility that your payment may not be credited to the correct account.

I Have More than One Account; May I Send One Check for the Total Amount?

You may send all your payments in one envelope, but please enclose a separate check for each coupon. If the number of checks does not equal the number of coupons, we will have to process your payment manually, and your accounts may not be credited correctly.

Where Do I Send My Payment?

You should return your payment and the payment coupon to the mailing address shown on the back of the coupon. Use the envelope provided for your convenience.

Where Should I Send Information Regarding My Fee Account?

If you wish to provide the TNRCC with information regarding only your fee account, please mail your correspondence to:

Texas Natural Resource Conservation Commission
Financial Administration Division, MC-214
PO Box 13087
Austin TX 78711-3087

How Can I Obtain a Copy of My Water Right?

A copy of your water right may be obtained by contacting the Record Services Section at (512) 239-2920. There is a small fee for copying.

Whom Should I Call for Information Regarding the Fees?

For copies of the fee rules (30 TAC, Sections 320.21-.22), contact the Publications Section at (512) 239-0028.

If you have a personal computer and a modem, you can access the TNRCC Online Bulletin Board System (BBS) at (512) 239-0700 for information about the TNRCC, including its rules. TNRCC Online supports up to 14,400-baud modems and follows the most common communication settings: NO parity, 8 databits, 1 stopbit, FULL duplex (N,8,1,F). Also, the current fee rules for this program were published in the April 26, 1994 Texas Register (19 TexReg 3171). If you have problems accessing the BBS, call the Technical Support Help Desk at (512) 239-0911.

Should you have **technical questions** regarding the water quality assessment program or the fee rates for your water right, call the Water Planning and Assessment Division at (512) 239-4416.

Should you have questions regarding your **account balance** or information regarding your billing statement, call the Financial Administration Division at:

For owner names A-K: (512) 239-0356
L-Z: (512) 239-0354



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Financial Administration Division, MC-214
PO Box 13087
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